IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
**THE HON'BLE MR JUSTICE BILAL NAZKI**
**and**
**THE HON'BLE MR JUSTICE P.S.NARAYANA**

**WRIT PETITION NO : 2380 of 2004**

Between:
B.Yellaiah, S/o. Raghavulu,
R/o.Badai Galli, Kamareddi, Nizamabad District.

**..... PETITIONER**

AND

1 The Deputy Transport Commissioner and Secretary, Regional Transport Authority, Nizamabad, Nizamabad Dist.
2 The Assistant Motor Vehicles Inspector, Check Post, Bhainsa, Adilabad District.

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ or order or direction, more particularly one in the nature of Writ of MANDAMUS declaring the seizure and impounding the documents of the petitioner's vehicle (Idle Contract Carriage Bus) bearing R.No.T.N.59-974, viz., Registration Certificate, Insurance Certificate, Pollution and Control Certificate, Special Permit and Driving Licence seized under vehicle check report No.1063679, dated 5-2-2004 by the 2nd Respondent as arbitrary, illegal and unconstitutional and without jurisdiction and consequently direct the respondent to forthwith release the documents of the petitioner's vehicle without insisting for payment of tax.

**For the Petitioner:MR.RAJANIKANTH JWALA**

**For the Respondent No.: SPL GP FOR TAXES**

**The Court Made the Following :**

ORDER : (Per Sri Bilal Nazki, J).

Heard learned Counsel for the parties. It is submitted that for the allegations levelled in the Notice, the inquiry is pending. The learned Counsel for petitioner submits that all the documents of the vehicle have been seized by the competent authority. The competent authority is directed to return the documents after getting the photo copies and after obtaining the undertaking from the petitioner that he will produce the documents as and when necessary during the inquiry. With these observations, the Writ Petition is disposed of.

ASST.REGISTRAR

// TRUE COPY //

SECTION OFFICER

ajr.

To

1 The Deputy Transport Commissioner and Secretary,

Regional
Transport Authority, Nizamabad, Nizamabad Dist.
2 The Assistant Motor Vehicles Inspector, Check Post, Bhainsa,
Adilabad District.
3 Two C.Cs. to the Special Government Pleader for Taxes, High
Court Buildings, Hyderabad (O.U.T).
4 Two C.D. Copies.